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SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 54th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 7 March 1990, at 3 p.m.

Chairman: Mrs. QUISUMBING (Philippines)

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* The summary record of the second part (public) of the meeting appears as document E/CN.4/1990/SR.54/Add.1; the summary record of the third part (closed) appears as document E/CN.4/1990/SR.54/Add.2.

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The meeting was called to order at 3.40 p.m.

CONSIDERATION OF DRAFT RESOLUTIONS AND DRAFT DECISIONS UNDER AGENDA ITEMS 10, 11, 12, 19 AND 22 (continued)

Draft resolution E/CN.4/1990/L.86 (agenda item 11)

1. Mr. de RIVERO BARRETTO (Peru), introducing draft resolution E/CN.4/1990/L.86, said he wished first of all to thank the delegations that had joined in sponsoring the draft resolution originally put forward by Peru, Colombia and the Philippines, thereby demonstrating their awareness of the severity of the problem represented by the increase in violence committed by irregular armed groups and drug traffickers whose collusion was becoming increasingly apparent and whose activities had a destabilizing effect on democratic régimes.

2. It was duly elected Governments, not anti-popular colonialist or racist dictatorial régimes, that were the main victims of such violence, which seriously impaired the enjoyment of human rights and fundamental freedoms. The sponsors of the draft resolution had in no way sought to minimize the responsibility of States in ensuring respect for human rights: they merely wished the Commission to take into account the difficulties that democratic Governments which, by their very nature, were precluded from applying a policy of massive repression or of organizing their countries on totalitarian lines, experienced in fulfilling their international obligations in the face of such violence. The phenomenon was a new one, and was quite unrelated to the activities of the national liberation movements recognized by the United Nations. That was why, in operative paragraph 2 of the draft resolution, all special rapporteurs and working groups were requested to pay particular attention to the activities of irregular armed groups and drug traffickers in their forthcoming reports to the Commission, and in paragraph 4, it was suggested that the Commission should decide to consider the question as a matter of high priority at its forty-seventh session.

3. The draft resolution addressed a new and disturbing phenomenon that the Commission must look into if it was to fulfil its monitoring duties in the field of human rights in a strict and impartial manner.

4. His delegation hoped that, since many Governments supported the draft resolution, the Commission would have no difficulty in adopting it.

5. The CHAIRMAN announced that the Afghan delegation wished to sponsor draft resolution E/CN.4/1990/L.86.

6. Mrs. BOZHKOVA (Bulgaria) pointed out that Bulgaria had erroneously been described, in the list of sponsors of draft resolution E/CN.4/1990/L.86, as an observer: it was actually a member of the Commission.

7. The CHAIRMAN said that that mistake would be corrected. She invited members of the Commission to speak in explanation of vote before the vote on draft resolution E/CN.4/1990/L.86.

8. Mr. ROA KOURI (Cuba) said that draft resolution E/CN.4/1990/L.86 was the largely unsatisfactory result of an effort to deal with the important problem of drug trafficking in various Latin American countries. In line with the

position adopted at Belgrade by the Movement of Non-Aligned Countries, his delegation felt the text should have covered violence committed by armed groups of drug traffickers, not by irregular armed groups and drug traffickers. Although some sponsors had been prepared to accept the proposals put forward to improve the text by his delegation, the desire to please certain Western Governments, which had done nothing to help eliminate the scourge, had prevailed. Further, a very clear distinction should have been drawn in the draft resolution between national liberation movements and armed groups and drug traffickers. His delegation would not press for amendments to be made to the text, partly to comply with a request made by certain Latin American countries, and partly because it espoused the position adopted by the Soviet Union, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic concerning the right of peoples to combat national or foreign oppression by any available means: it would not, however, be able to support the draft resolution.

9. At the request of the representative of Peru, a vote was taken by roll-call on draft resolution E/CN.4/1990/L.86.

10. Sao Tome and Principe, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Bangladesh, Belgium, Botswana, Brazil, Bulgaria, Canada, China, Colombia, Cyprus, Ethiopia, France, Gambia, Germany, Federal Republic of, Ghana, Hungary, India, Iraq, Italy, Japan, Madagascar, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Portugal, Sao Tome and Principe, Senegal, Somalia, Spain, Sri Lanka, Swaziland, Ukrainian Soviet Socalist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Against: None.

Abstaining: Cuba, Sweden.

11. Draft resolution E/CN.4/1990/L.86 was adopted by 41 votes to none, with 2 abstentions.

12. Mrs. GONZALEZ MARTINEZ (Mexico), speaking in explanation of vote after the vote, said that her delegation had voted in favour of draft resolution E/CN.4/1990/L.86 because it endorsed its substance. It had often, and in many forums, condemned the links between drug trafficking and armed violence to which the Special Rapporteur on the question of mercenaries referred in his report (E/CN.4/1990/11).

13. Her delegation would have preferred, however, for a distinction to be clearly drawn in the text between irregular armed groups and the national liberation movements struggling to achieve the right to self-determination. The word "irregular" denoted anything that was at variance with the rule, but it was necessary to specify which rule. According to the dictionary of the Spanish Royal Academy, the word could also apply to anything that was not habitual. The first thing was therefore to define what was meant by "regular groups". Her delegation would accordingly have preferred the use of terms that were unambiguous or which did not have numerous connotations.

14. Mexico had always maintained that the activities of drug traffickers were criminal, and that all their acts were punishable crimes. The "relevant" sources from which the Secretary-General was to collect information should have been clearly indicated. If they were the Governments and populations affected by acts of violence or the victims of the activities of irregular armed groups and drug traffickers, the Secretary-General would have to contact millions of people and thousands of private and governmental institutions, and that was obviously out of the question.

15. Mr. RONQUIST (Sweden) said that his delegation had abstained during the vote on draft resolution E/CN.4/1990/L.86 although it shared the concern expressed at the increase in the acts of violence committed by irregular armed groups and drug traffickers in many countries. Such acts adversely affected the well-being of peoples and the economies of the countries concerned. It was therefore important that the special rapporteurs and working groups should pay particular attention to such activities when assessing the human rights situation in certain countries. In his delegation's view, however, their primary task was to monitor compliance by States with their obligations under the Charter of the United Nations and the international standards on human rights by means, inter alia, of entering into dialogue with them.

Draft resolution E/CN.4/1990/L.87 (agenda item 11)

16. Mr. ENDREFFY (Hungary), introducing draft resolution E/CN.4/1990/L.87, announced that Czechoslovakia had become a sponsor.

17. Over the past 10 years, the Commission had established extensive contacts with Governments and private individuals through its special representatives, special rapporteurs and working groups under procedures set up by the Commission itself or by the Sub-Commission and under various human rights instruments. The draft resolution focused essentially on co-operation which took the form of visits or fact-finding missions to specific countries. It highlighted the need for representatives of human rights bodies to have access to private individuals and groups, and for private individuals to feel free to approach those representatives. Operative paragraph 1 called on all Governments to allow unhampered contacts between private individuals and such representatives and to remove all legal and practical obstacles which would unduly prevent or discourage such contacts.

18. The second area covered by the draft resolution was that of reprisals against private individuals or groups before or after they had co-operated with representatives of human rights bodies. The problem had been raised in a number of reports submitted to the Commission, particularly in paragraph 343 of the report by the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1990/13). Such acts were unacceptable, and the language used in paragraph 2 of the draft resolution was sufficiently clear.

19. Although the question of co-operation itself had never before been dealt with by the Commission in a draft resolution, the problem raised was unfortunately, not a new one. The draft reflected two general considerations: first, that no individual or group should be punished for the mere fact of having co-operated with the United Nations or having tried to use procedures established precisely for them; second, that special

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rapporteurs and working groups were able to exercise their mandates in a balanced manner only if they were able to gather information in an even-handed way - an aspect of the work that was vitally important for the credibility of the institutions established by the Commission.

20. His delegation hoped that the extremely important issue would be addressed by the Commission in a responsible manner, and that as a consequence, draft resolution E/CN.4/1990/L.87 would be adopted without a vote.

21. Draft resolution E/CN.4/1990/L.87 was adopted without a vote.

Draft decision E/CN.4/1990/L.89 (agenda item 11)

22. Mr. BENHIMA (Morocco), introducing the draft decision on behalf of the sponsors, said that in its resolution 44/156, the General Assembly had decided that it would be desirable to convene a world human rights conference. In view of the priority attached to human rights issues by the international community, he hoped that the draft decision would be adopted without a vote.

23. Draft decision E/CN.4/1990/L.89 was adopted without a vote.

Draft resolution I submitted to the Commission by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its report (E/CN.4/1990/2) (agenda item 11)

24. Mr. STRUYE de SWIELANDE (Belgium) proposed that consideration of the draft resolution should be deferred until the forty-seventh session so as to avoid creating confusion as a result of having various ongoing approaches to the same question. It would be recalled that, in its resolution 1989/48, the Commission had stressed the need to improve the effectiveness of the special rapporteurs and special representatives and other human rights monitoring mechanisms. He believed that a mechanism efficiency would be enhanced if it was not discussed in several different bodies. His proposal for postponement was submitted following consultations with a number of delegations and Sub-Commission experts.

25. Mrs. BATACLAN (Philippines) said that her delegation had been among those consulted. She endorsed the proposal by the Belgian delegation but wished the improvements to the text that her delegation had proposed in its statement under agenda item 18, in support of draft resolution I submitted by the Sub-Committee, to be taken into account at the appropriate time.

26. The CHAIRMAN announced that, if there were no objections, she would take it that the Commission wished to defer, until its forty-seventh session, its consideration of draft resolution I submitted by the Sub-Commission.

27. It was so decided.

Draft decision on procedure submitted by the Chairman (agenda item 11)

28. The CHAIRMAN suggested that the Commission adopt by consensus the following draft decision on procedure:

> "The Commission on Human Rights takes note of the report of the Secretary-General on the in-depth evaluation of the human rights programme (E/AC.51/1989/2) and requests that the Secretary-General bring

the report to the attention of all relevant areas of the United Nations, in particular the Centre for Human Rights, to consider appropriate action in consultation with Member States, relevant intergovernmental organizations and the specialized agencies".

29. The draft decision was adopted without a vote.

Draft resolution E/CN.4/1990/L.52/Rev.1 (agenda item 12)

30. Mr. ROMARE (Sweden) said that, as negotiations were being held on Guatemala, the sponsors of the draft resolution had decided to withdraw it.

Draft resolution E/CN.4/1990/L.75/Rev.1 (agenda item 12)

31. Mr. STIGLICH BERNINZON (Peru) said that he was introducing the draft resolution on behalf of Argentina, Brazil, Colombia, Mexico, Peru, Uruguay and Venezuela, countries that were part of the permanent political consultation and negotiation mechanism known as the "Group of Eight", and on behalf of Belgium, Denmark, France, Greece, Ireland, the Netherlands, Spain and Sweden. The Group of Eight considered that the establishment of a lasting peace in Central America hinged on a number of factors, including respect for human rights, and that Governments in the region should be guided by the Esquipulas II Agreements and the decisions adopted by their Presidents at the meetings they had held over the past few years.

32. With specific reference to El Salvador, the sponsors followed the Special Representative's lead in noting that respect for human rights and dialogue for peace were fundamental components of the policy of the Government of El Salvador, but that that policy had not yet yielded the desired results. Despite the Mexico and San Jose meetings held between the Government and the Frente Farabundo Martí National Liberation Front (FMLN), the violence had intensified and cases of torture, arbitrary detention and summary execution had increased. The sponsors were indignant at the murder of the Rector of the Central American University and other members of the University's staff by members of the armed forces. They deplored the human rights violations committed by both the "death squads" and the Farabundo Martí National Liberation Front, and expressed concern at the worsening of the armed conflict in November 1989 and at the systematic attacks on the economic infrastructure. The sponsors condemned the murder of the Rector of the Central American University but acknowledged the efforts made by the Government to bring those who had perpetrated the crime before the courts. They called upon all parties to the conflict to take immediate measures to put an end to attempts on human life, integrity and dignity. They supported the good offices mission of the Secretary-General of the United Nations on the basis of Security Council resolution 637 (1989). It was to be hoped that the balanced text, designed to promote peace in Central America, would be adopted by consensus. In conclusion, he said that Portugal had become a sponsor of the draft resolution.

33. Mr. SENE (Senegal) said that, although the human rights situation in El Salvador remained a matter of grave concern, the Government deserved thanks for co-operating with the Commission over the past few years. He welcomed the efforts of the Contadora Group and expressed the hope that the good offices mission of the Secretary-General, who was mediating between the Government and

the FMLN, would be successful. Finally, he said it would be desirable for all parties to the conflict to co-operate with the humanitarian organizations which, inter alia, had helped to achieve the massive repatriation of refugees.

34. Draft resolution E/CN.4/1990/L.75/Rev.1 was adopted without a vote.

35. Mr. KUEHL (United States of America) said that his delegation had joined in the consensus on resolution E/CN.4/1990/L.75/Rev.1, but would have abstained had it been put to the vote. The United States supported a number of the text's objectives, including the renewal of the mandate of the Special Representative, Mr. Pastor-Ridruejo, but did not believe that torture was widespread in El Salvador. In addition, the efforts made by the Salvadorian Government to punish those responsible for human rights violations should be acknowledged and attention drawn to foreign interference, including support to the FMLN, an organization that should be condemned for attempting to overturn a legitimate Government. He hoped that at its next session, the Commission would see an improvement in respect for human rights in El Salvador.

36. Mr. MENDOZA (Observer for El Salvador) said it was unfortunate that resolution E/CN.4/1990/L.75/Rev.1 reflected neither the evolution of the situation in his country nor the attempts being made by the peoples of Central America to reach a solution. The sponsors called for a renewal of dialogue, but the dialogue had been broken off by the Farabundo Martí Front. The Salvadorian Government, on the other hand, was deeply committed to dialogue and set only one condition: that the FMLN should put an end to hostilities against the civilian population. With regard to the good offices mission of the Secretary-General of the United Nations, he noted that the Secretary-General had had a meeting with the President of El Salvador.

37. The aggravation of the armed conflict, particularly in November 1989, was attributable to the FMLN, which had tried at that time to launch its second final offensive which had left more than 1,000 people dead and had deeply scarred the country. The resolution also failed to take account of the conclusions reached by the five Central American Presidents or of the two requirements they had enunciated after their meeting at San Isidro de Coronado, Costa Rica: cessation of hostilities and disbanding of the FMLN.

38. It was also regrettable that at the very last moment, a reference to the reports of the Working Group on Enforced or Involuntary Disappearances and of the Special Rapporteur on torture had been included. The Government of El Salvador had not had time to take cognizance of those documents and had therefore not been able to refute statements which, in its view, lacked objectivity. He hoped, nevertheless, that, as requested in the resolution, United Nations bodies would provide to the Government of El Salvador such advice and assistance as it might request.

Draft resolution E/CN.4/1990/L.94 (agenda item 12)

39. Mrs. DIEGUEZ ARMAS (Mexico), introducing the draft resolution on behalf of the sponsors, said that Mexico had been criticized for denouncing the repression in Chile and the pressure to which it itself had been subjected by the military dictatorship: its position had now been vindicated by history.

The new era beginning in Chile had put an end to 16 years of sustained efforts by the international community, and particularly the Commission, its experts and its special rapporteurs, in support of the Chilean people in its struggle against dictatorship. There was no doubt that those efforts had greatly contributed to the return to democracy.

40. The sponsors noted the improvement in the situation of human rights in Chile, but pointed out that the military Government had failed to act on a number of recommendations of the international community, thereby complicating the task of the civilian Government-elect. They urged that the archives of the National Information Agency should be placed at the disposal of the courts of justice and the authorities of the Government-elect, and noted the commitment made by the Government-elect, which were in line with the country's democratic tradition that had been interrupted in 1973. Finally, they proposed that the mandate of the Special Rapporteur should not be renewed and requested the Government-elect to report to the Commission on the follow-up to the recommendations made by the United Nations. She hoped that the text, which must be seen as an indication of support for the civilian Government, would be adopted without a vote.

41. Mr. SENE (Senegal) said that draft resolution E/CN.4/1990/L.94 was the culmination of a long process marked by the Commission's adoption of numerous resolutions. He was convinced that, as from 11 March 1990, the rule of law and enjoyment of human rights would finally be assured in Chile. In view of the imminent accession to power of the new Government, it would not be appropriate to renew the Special Rapporteur's mandate. The sponsors had, however, expressed appreciation to the Ad Hoc Working Group, the Experts and the Special Rapporteurs, Mr. Diéye and Mr. Lallah, for their contribution to the work done by the international community over the past 16 years in order to restore human rights in Chile.

42. Draft resolution E/CN.4/1990/L.94 was adopted without a vote.

43. Mr. KUEHL (United States of America) said that the text that had just been adopted was by no means perfect, but at least it had the merit of acknowledging that it was no longer necessary to renew the mandate of the Special Rapporteur to study the situation of human rights in Chile. Mr. Volio-Jimenez had worked long and hard to help the Chilean people, who would now live in a democratic country governed by leaders it had freely chosen.

44. The Chilean experience revealed that, by denouncing violations of human rights in a given country, the Commission greatly helped put an end to them. That example should govern its activities in years to come. In examining situations in other countries, however, it must avoid any form of bias or favouritism and must never hesitate to face up to any Government, no matter which country it ruled.

Draft resolution E/CN.4/1990/L.98 (agenda item 12)

45. Mr. NASSERI (Observer for the Islamic Republic of Iran) said it was undeniable that the Special Representative's visit to the Islamic Republic of Iran marked a major development in the country's relations with the Commission. The Special Representative's report (E/CN.4/1990/24) had made it possible to modify significantly a number of preconceived notions that

were shaped solely by baseless allegations, and that was a major step towards common understanding. The Islamic Republic of Iran, which sought to move towards a speedy and definitive resolution of the issue, looked forward to pursuing the constructive dialogue established with the Special Representative. Draft resolution E/CN.4/1990/L.98 represented the outcome of that dialogue. In a spirit of co-operation, his delegation had opted not to oppose the text, even though in some respects it found it objectionable.

46. He wished to thank the representative of Austria and the other sponsors of the draft resolution for the efforts they had made to arrive at an understanding and develop a different mode of co-operation.

47. His delegation wished to draw the attention of members of the Commission, particularly those that traditionally sponsored the draft resolution on Iran, to the role they could play in curtailing the activities of terrorist groups, activities whose disastrous effects on Iranian society had been clearly pointed out by the Special Rapporteur. A positive attitude and forceful policy regarding those terrorists would help to curtail the activities they engaged in against Iran and the Iranian people under the demogogic cover of political opposition.

48. The lack of full co-operation by the Iranian Government with the Special Representative in the past had been mainly due to the element of prejudice that had tarnished the letter and spirit of resolutions adopted on Iran. The situation had changed somewhat since the most recent session of the General Assembly, and the Government of the Islamic Republic of Iran had insisted on the extension of the Special Representative's visit. It was well known, despite all the negative and baseless propaganda, that Iran had a strong parliament and an independent judiciary. His delegation welcomed with satisfaction any discussion on the question of human rights that helped to dispel the doubt and suspicion cast by groundless allegations. It was with that in mind that the Iranian Government had invited the Special Representative to visit the country a second time.

49. On a broader scope, Iran was proud of its Islamic system and was firmly resolved to institutionalize it still further. Muslims, who made up a large part of the world's population, had not played the role they deserved in formulating international law. Iran would therefore welcome with satisfaction an in-depth academic study of Islamic law and international law, as it could contribute to a broader understanding at the international level of Islamic law and its humane teachings.

50. Co-operation called for the adoption of a constructive and objective attitude by all parties. The Iranian delegation was ready and willing to respect that rule, and hoped that the Commission would do the same.

51. Mr. CESKA (Observer for Austria) said that draft resolution E/CN.4/1990/L.98 was a comprehensive, pointed and balanced text that duly reflected the Special Representative's conclusions. His delegation was gratified that the Iranian Government was prepared to co-operate with the Commission, and it was particularly encouraged by the invitation to the Special Representative to visit the country a second time.

52. Respect for human rights and fundamental freedoms could certainly not be imposed by force - it required a commitment by all parties, and the Commission must not relax its vigilance. He hoped that the progress made in its relations with the Islamic Republic of Iran would result in improvements enabling the Commission to terminate its consideration of the human rights situation in that country.

53. His delegation wished to thank the Special Representative and the sponsors of the draft resolution which, it hoped, would be adopted by consensus.

54. Mr. FULDA (Federal Republic of Germany) said he welcomed the co-operation recently established between the Government of the Islamic Republic of Iran and the United Nations, which contrasted with the atmosphere of hostility that had marred their relations only a few years ago. The visit by the Special Representative could be considered the start of a co-operative effort that must be pursued: the start may not have been entirely satisfactory to all parties, but the Iranian Government should be commended for the constructive approach it had taken during the negotiations on the draft resolution.

55. Mr. SENE (Senegal) said that the Special Representative's visit to Iran undoubtedly marked important progress in the relations between that country and the Commission and opened up prospects for dialogue and co-operation that could help to promote human rights. The spirit of compromise on the part of the Iranian delegation, which had announced its intention not to oppose the adoption of the draft resolution, must be commended.

56. The Special Representative, too, should be congratulated on successfully creating ties of confidence with the Iranian authorities without losing his sense of objectivity. His second visit would enlarge the scope for dialogue thus created which, it was to be hoped, would dispel misunderstandings and misconceptions. His delegation hoped the draft resolution would be adopted by consensus.

57. Mr. SEZAKI (Japan) said he welcomed the Iranian Government's decision to invite the Special Representative to visit the country once again and was especially encouraged by the co-operation established with the Commission, but he remained concerned by the gravity of certain allegations contained in the report of the Special Representative. He would hope that the draft resolution could be adopted without a vote.

58. Ms. ZWEIBEN (United States of America) said that her delegation had decided not to go against the consensus on draft resolution E/CN.4/1990/L.98 even though, in its opinion, it did not accurately describe the human rights violations to which the Iranian population continued to be subjected. As the report of the Special Representative clearly revealed, and the denials by the Iranian Government notwithstanding, the right to a fair trial and to legal counsel was still denied, summary executions and political incarceration continued, many Iranians were still prevented from travelling freely abroad and the convening of non-violent gatherings for political purposes was extremely difficult, if not impossible. Although the fate of certain members of the Baha'i faith had improved, the community as a whole remained in a precarious position.

59. While such violations demonstrated the great importance of strengthening co-operation with the Iranian Government, the Commission's ultimate objective, which must constantly be kept in mind, must be to secure a real improvement in the human rights situation in Iran.

60. Draft resolution E/CN.4/1990/L.98 was adopted without a vote.

61. Mr. STEEL (United Kingdom) said he welcomed the Iranian Government's decision not to oppose adoption of draft resolution E/CN.4/1990/L.98 and assumed that that Government had now accepted the Commission's investigatory role, which was indeed an important step forward.

62. The text of the draft resolution did not, however, fully reflect the Special Representative's concern, shared by the United Kingdom delegation, about the high number of executions. The United Kingdom delegation joined the Special Representative in condemning terrorism in all its forms (para. 6 of the draft resolution). It wished, however, to point out that, according to the report, human rights abuses were committed by both the Iranian authorities and their opponents and that, while the Special Representative had treated with caution allegations that political prisoners had been executed on false charges of drug trafficking, he believed the issue deserved further inquiry.

63. His delegation called on the Special Representative to continue to monitor the situation of the Baha'i community in Iran. It urged the Iranian Government to comply with its obligations under all the international human rights instruments to which it was a party, and hoped that the Special Representative would see marked improvements by the time of his second visit.

64. Mr. ASADI (Observer for the Islamic Republic of Iran) said the United States delegation was once again entrenching itself in an isolated position for exclusively political motives. The groundless allegations formulated by the United States representative, which were diametrically opposed to the conclusions of the Special Representative, had originated with terrorist elements that lurked in the corridors.

65. The CHAIRMAN recalled that decorum in language and in behaviour was required in the Commission.

66. Mr. ASADI (Observer for the Islamic Republic of Iran) added that the arrogant attitude of the United States, condemned worldwide, particularly by the Muslim community, was not found among that country's allies. His delegation preferred quite simply to ignore the false and misplaced allegations made by the United States delegation.

Draft resolution E/CN.4/1990/L.37/Rev.1 (agenda item 22)

67. Mr. STIGLICH BERNINZON (Peru), introducing the draft resolution on assistance to Guatemala in the field of human rights on behalf of the sponsors, to which France and Sweden should be added, said that the countries in the Group of Eight took a special interest in the situation in Central America, and in particular, in the problem of Guatemala. Since the establishment of the Contadora Group and the Contadora Support Group, those countries had consistently supported the efforts of Governments in the region to achieve a lasting peace by the diplomatic channel. Believing that there could be no lasting peace without respect for human rights and the fundamental

principles of domestic coexistence, they had, with the assistance of other delegations, put together a draft resolution in which they expressed their concern over the persistent climate of violence in Guatemala. They expressed gratitude to the Expert on the situation in Guatemela and appealed to the Government of Guatemala to redouble all its efforts to end the violence and to further justice and human rights. Finally, they requested the Secretary-General to appoint an independent expert and to continue to provide assistance to the Government of Guatemala.

68. With the assistance of the other sponsors, the Group of Eight had sought to construct a balanced text, such as would strengthen the efforts being made to bring peace to Central America. He therefore called on the Commission to adopt it by consensus.

69. The reference in parentheses in the sixth preambular paragraph to the first addendum to the report of the Special Rapporteur on torture should be deleted.

70. Mr. SENE (Senegal) said he welcomed the efforts of the constitutional Government of Guatemala, which had undertaken to organize elections in order to provide the country with a democratic régime. The country needed to be given encouragement in its efforts. The assistance provided in the form of advisory services must therefore be welcomed: it could only serve to strengthen the democratic process and to promote better understanding of human rights.

71. The Central American countries that were sparing no diplomatic effort to achieve peace in the region should also be commended. His delegation hoped that the Commission would adopt the draft resolution without a vote.

72. Draft resolution E/CN.4/1990/L.37/Rev.1 was adopted without a vote.

73. Mr. KUEHL (United States of America), speaking in explanation of his delegation's position, said he welcomed the fact that the Commission had been able to adopt the text in document E/CN.4/1990/L.37/Rev.1 by consensus and wished to pay a tribute to the numerous Latin American countries that were taking an active interest in the solution of human rights problems in Guatemala. Nevertheless, he was concerned over the continuing violation of those rights, and particularly by the alarming increase in what appeared to be politically motivated violence. Although the Government of the United States had urged tht an inquiry should be opened into such incidents, those responsible had not yet been brought to trial. It had therefore recalled its ambassador for consultations. Although there was no doubt that there were individuals at all levels of Guatemalan society who were anxious to improve the human rights situation, their efforts were in vain as long as the police force and the judiciary lacked the appropriate infrastructure and training. There was arguably no country that had a greater need than Guatemala of the technical services provided by the United Nations in the field of human rights. He wished also to express his concern at the acts of terrorism and violations of human rights, amounting to attacks on democracy, that were committed by extremists.

74. The United States supported the Government of Guatemala and the process of peaceful transition to a new civilian Government that would take office in 1991 following the holding of free elections. It hoped that the

independent expert who would be appointed in conformity with the resolution just adopted would make a thoroughgoing evaluation of the human rights situation in Guatemala and submit a constructive and comprehensive report.

75. Finally, his delegation congratulated the Expert, Mr. Gros Espiell, on his thorough and useful report on the situation of human rights in Guatemala.

Draft decision E/CN.4/1990/L.85/Rev.1 (agenda item 19)

76. Mr. SENE (Senegal) said that the invitation to visit Iraq extended by an Iraqi non-governmental organization to members of the Sub-Commission in order that they might acquire first-hand knowledge of the situation of human rights and fundamental freedoms there, which had resulted in an official statement by the Permanent Representative of Iraq at the Sub-Commission's forty-first session, had been welcomed with satisfaction by experts and outside observers, including Senegal. In his delegation's view, everything possible should be done to avoid anything that might obstruct the dialogue begun between the Commission and the non-governmental organization as well as compromise the commitment undertaken in the Sub-Commission by the Iraqi Government. Efforts should be made to arrive at a compromise text reflecting the wishes both of Iraq and of the sponsors of the draft decision.

77. The initiative might serve as an example for the establishment of machinery which might be used whenever the need arose. The Commission might consider, for example, the arrangements for organizing similar visits in conformity with United Nations rules, procedures and practices and in compliance with the guarantees concerning the impartiality and independence of experts: the Secretary-General would be requested to furnish the material and human resources and services required for the successful completion of such missions.

78. Mr. ELARABY (Egypt) said that the draft decision had given rise to lengthy negotiations aimed at reaching a compromise acceptable to all members of the Commission. The consultations had been held in a constructive atmosphere for which the sponsors and the Iraqi Government were to be commended. The purpose of the text was to indicate that an Iraqi human rights organization had invited members of the Sub-Commission to visit Iraq, and that the invitation had been confirmed by the Iraqi Government. That Government, however, could not accept the inclusion in the text of extraneous considerations that would have distorted its purpose and the lack of time had made it impossible to arrive at a compromise.

79. Mr. NYAMEKYE (Assistant Director, Centre for Human Rights), reporting on the implications for the programme budget of draft decision E/CN.4/1990/L.85/Rev.1, said that if the text was adopted, the Commission would accept the invitation extended to members of the Sub-Commission to visit Iraq, invite the Chairman of the Sub-Commission to consult its members for the purpose of selecting a group of representatives, request the Sub-Commission to report to the Commission at its next session on the visit, and request the Secretary-General to provide the necessary facilities, within existing resources. In view of the fact that the arrangements for the visit would be finalized only after consultations with the members of the Sub-Commission, the secretariat was unable to make any estimate of the expenditures involved. If

the Commission were to adopt draft decision E/CN.4/1990/L.85/Rev.1, however, every possible effort would be made to finance the related expenditures from allocations already incorporated in the programme budget for 1990-1991.

80. The CHAIRMAN asked the representatives of Egypt and Senegal whether they wished the consideration of draft decision E/CN.4/1990/L.85/Rev.1 to be postponed.

81. Mr. SENE (Senegal) said that more time would be needed in order to prepare a compromise text. He also asked the Chairman to use her good offices to enable the draft decision to be adopted by consensus.

82. Mr. ELARABY (Egypt) said that it was also up to the sponsors, who had shown goodwill and understanding throughout the negotiations, to state their views on the advisability of continuing the efforts to reach agreement.

83. Mr. BENHIMA (Morocco) said that, like the Egyptian delegation, his own delegation regretted that the arduous negotiations between the Iraqi delegation and the sponsors of the draft decision had failed to produce a result for lack, not of goodwill, but of time. He called on the Chairman to use all her perspicacity and the authority of her office to ensure that every effort was made to arrive at a compromise.

84. The CHAIRMAN announced that the consideration of draft decision E/CN.4/1990/L.85/Rev.1 would be postponed.

Sub-Commission draft resolution XI (agenda item 19)

85. The CHAIRMAN said that, following consultations among interested parties with a view to reaching a consensus solution, the parties had agreed that the issue raised in Sub-Commission draft resolution XI could best be addressed through the adoption of a decision in which the draft resolution would be subsumed, and which would read as follows:

> "The Commission on Human Rights decides, in light of the views expressed by various delegations in the course of its forty-sixth session, to recommend that the Economic and Social Council recommend that the General Assembly proclaim an International Year for the World's Indigenous People, in 1993 or another appropriate year, in accordance with established procedures governing the proclamation of international years."

86. If there was no objection, she would take it that the Commission wished to adopt the text without a vote.

87. It was so decided.

88. Mr. JOHNSON (United States of America), explaining his delegation's position, said that it had joined in the consensus on the text just adopted reluctantly, for the United States had always expressed reservations about the advisability of using the meagre resources available to the United Nations in order to finance years, or other periods, devoted to specific themes.

Draft resolution E/CN.4/1990/L.38 (agenda item 10)

89. Mr. STROHAL (Austria), introducing draft resolution E/CN.4/1990/L.38, said that the text covered an important aspect of human rights, namely safeguarding the rights of individuals in detention. It was based on texts adopted by the Commission and by the General Assembly on the subject in the past without a vote.

90. Having read out the provisions of operative paragraphs 2, 4, 5 and 11, he drew the attention of members of the Commission to the fourth preambular paragraph, where reference was made to the Second Optional Protocol to the International Covenant on Civil and Political Rights on the elimination of the death penalty. The Second Optional Protocol, adopted by the General Assembly at its forty-fourth session, was, in the opinion of the draft resolution's sponsors, an important component in the international legal framework for the protection of human rights. It had not yet entered into force, however, and all Governments were not at present in a position to realize the objectives set out therein. Extensive negotiations had taken place between the sponsors of the draft resolution and the sponsors of a proposed amendment contained in document E/CN.4/1990/L.77. In a spirit of co-operation, and without wishing to minimize the importance of the new international instrument, the sponsors of the draft resolution accepted the proposed amendment, so as to enable the Commission to reach a consensus. They therefore proposed a number of changes to the text.

91. The third preambular paragraph should be replaced by the following:

> "Reaffirming the numerous international instruments concerning the administration of justice which had been adopted by the General Assembly, including the Standard Minimum Rules for the Treatment of Prisoners, the Code of Conduct for Law Enforcement Officials, the Basic Principles on the Independence of the Judiciary, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and the Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,".

92. A new paragraph should be inserted after the third preambular paragraph, to read as follows:

> "Aware of the opportunity offered to States parties to the International Covenant on Civil and Political Rights, if they so wish, to become States parties to its Optional Protocols,".

93. Finally, and in order to reflect the amendments contained in document E/CN.4/1990/L.77, the reference to the Second Optional Protocol was deleted from the former fourth preambular paragraph, which now read:

> "Mindful of the prohibition under article 6 of the International Covenant on Civil and Political Rights of the imposition of the death penalty for crimes committed by persons below 18 years of age,".

94. In view of the final amendment the sponsors of the draft amendment in document E/CN.4/1990/L.77 had agreed to withdraw it. He hoped that draft resolution E/CN.4/1990/L.38, as amended, would be adopted without a vote.

95. Draft resolution E/CN.4/1990/L.38, as amended, was adopted without a vote.

96. Mr. JILANI (Pakistan), speaking in explanation of his delegation's position on resolution E/CN.4/1990/L.38, said he welcomed the fact that, in conformity with the wishes expressed by the sponsors of the amendment in document E/CN.4/1990/L.77, the Second Optional Protocol to the International Covenant on Civil and Political Rights on the elimination of the death penalty, an instrument that had generated a great deal of controversy ever since its adoption, was no longer mentioned explicitly. The Commission had consequently been able, as in the past, to approach the issue of human rights in the administration of justice on the basis of a broad consensus.

97. Mr. JOHNSON (United States of America), explaining his delegation's position, warmly thanked the sponsors of draft resoluton E/CN.4/1990/L.38 for having agreed not to incorporate an explicit reference to the Second Optional Protocol to the International Covenant on Civil and Political Rights, thereby enabling the Commission to achieve a consensus, as in the past, on the question of human rights in the administration of justice.

98. The fact was that, unlike the instruments cited in the new third preambular paragraph, the Second Optional Protocol had not been universally accepted within the international community and did not set a new standard of any kind, legal, moral or political.

99. His delegation had no doubts about the sincerity of those delegations that had a different opinion from its own about the Optional Protocol. It hoped, however, that the instrument would not be used as a political tool, and that the Commission would have no need to revert to consideration of the matter in the future.

100. Mrs. DOS SANTOS PAIS (Portugal) said her delegation welcomed the adoption of the text by consensus and the fact that it referred to the First and Second Optional Protocols to the International Covenant on Civil and Political Rights without making any comment on their substance or on the attitude to be taken by States concerning them.

101. As the Second Optional Protocol, like the First, had been adopted by the General Assembly, it was an international instrument that States parties to the Covenant could sign, ratify or accede to if they so desired and were in a position to do so. Twelve States had already signed the instrument and one, New Zealand, had ratified it.

102. On principle, her delegation would not have agreed that the Commission should be prevented from referring to an international human rights instrument adopted by the General Assembly.

103. Mr. SEZAKI (Japan), speaking in explanation of his delegation's position on the text that had just been adopted, said that as Japan had frequently stressed, an international instrument adopted by the General Assembly should be ratified by many countries in order to be truly universal in nature. That

was not the case, however, with the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty, since two thirds of all Member States had either voted against it or had abstained.

104. His delegation expressed its appreciation to the sponsors for the flexibility they had demonstrated in agreeing not to make explicit reference to such a controversial instrument, and welcomed the fact that they had thereby made the text's adoption by consensus possible.

105. The CHAIRMAN announced that, in accordance with the wishes expressed by the sponsors, draft resolution E/CN.4/1990/L.37 would not be submitted to the Commission for its consideration.

106. Mr. AL-OTHMAN (Observer for Kuwait), responding to a statement made the previous day by the representative of the International Association of Educators for World Peace, said that the reason Mr. Mohamed Saïd Bakir Al-Mehdi al-Moussawy had been arrested by Kuwaiti police was that the perpetrators of terrorist crimes in Saudi Arabia had indicated he had masterminded the operations. He was currently, for the purposes of the inquiry, being detained in perfectly normal conditions and in conformity with the law. Members of his family were allowed to visit him.

107. As for political life in Kuwait, it was governed by the Constitution, which was dictated by the word of God and the precepts of the Prophet concerning relations between the governors and the governed, who formed a single Arab and Islamic family. The dissolving of Parliament had not put an end to democratic life, since the Emir of Kuwait had never stopped consulting and co-operating with the Kuwaiti people. In fact, an extensive democratic debate, which was likely to facilitate the return to parliamentary life, had started up in late 1989.

108. The CHAIRMAN announced that discussion on draft decision E/CN.4/1990/L.85/Rev.1 would be resumed.

109. Mr. ELARABY (Observer for Egypt) informed the Commission that, despite extensive efforts, it had unfortunately not been possible to reach consensus on that text.

The discussion covered in the first part (public) of the meeting ended at 6.35 p.m.

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COMMISSION ON HUMAN RIGHTS

Forty-sixth session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)* OF THE 54th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 7 March 1990, at 6.35 p.m.

Chairman: Mrs. QUISUMBING (Philippines)

CONTENTS

Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-first session (continued)

* The summary record of the first part (public) of the meeting appears as document E/CN.4/1990/SR.54 and that of the third part (closed) as document E/CN.4/1990/SR.54/Add.2.

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GE.90-11843/5694A

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-FIRST SESSION (agenda item 19) (continued)

Draft decision E/CN.4/1990/L.85/Rev.1

1. Mr. ELARABY (Observer for Egypt) said that despite the efforts of all those involved in seeking an agreed text, there were still irreconcilable differences between the two schools of thought on the draft decision, although their positions were no longer far apart. It had therefore not proved possible to achieve wording acceptable to all concerned.

2. Mr. AL-TIKRITI (Iraq) reminded members of his country's support for the role of the Commission and its constant endeavours to co-operate with the Commission. The invitation to the members of the Sub-Commission to visit Iraq extended by the Iraqi Human Rights Society, with the endorsement of the Government of Iraq, testified to the improvement in the human rights situation in his country. His delegation deeply regretted that the wording of the final part of the draft decision, from the words "invited the chairman" to the end, had the apparent effect of turning a generous and voluntary invitation from a well-known non-governmental organization into a decision of the Commission to conduct an official inquiry into the human rights situation in Iraq. His delegation was unable to accept the illogical explanation given for that procedure. The facilities which the Secretary-General was requested to provide under the draft decision would not be necessary, since Iraq had undertaken to bear all the costs of the visit, except perhaps those of the interpreters to accompany the visitors. Furthermore, while not objecting to the members of the Sub-Commission recording their impressions of their visit, his delegation considered the provision in the draft decision that reports should be submitted to the Sub-Commission and Commission an unacceptable attempt to turn that action into an official procedure, which would make it impossible for the visit to take place in a climate of openness and goodwill. His delegation considered that the final part of the draft decision to which he had referred should be replaced by the words "and contact the Centre for Human Rights to ensure that the visit was successfully conducted". In view of its objections to the existing text, therefore, his delegation moved, under rule 65 of the rules of procedure of the functional commissions of the Economic and Social Council, that no decision be taken on the draft decision.

3. Mr. BENHIMA (Morocco) endorsed the views expressed by the representative of Iraq. In view of the fact that no consensus wording could be achieved, he seconded the motion that no decision be taken on the draft decision.

4. Mr. STEEL (United Kingdom) said he very much regretted that it had proved impossible to reach a consensus on the text of the draft decision, although the sponsors had made every effort to find suitable wording. They had, moreover, indicated that the provision for a report to be submitted to the Commission could be waived. However, the text as it stood appeared to the sponsors to be the minimum which the Commission could properly adopt. It called on the Commission to take note of an invitation that had been freely and voluntarily given and in addition provided the minimum facilities necessary to ensure that the visit took place in a proper manner compatible with observance of the authority, prestige and proprieties of the Commission. The visit should not take the form of a private visit by private individuals

in response to a private invitation, but should be conducted as a visit by the Sub-Commission. His delegation urged the Iraqi delegation not to press its procedural motion since, whatever views were held on the text, all were entitled to discuss it.

5. Mr. MAHMUD (Bangladesh) said he shared the regret that consensus could not be reached on the wording of the draft decision. Since the invitation extended to the members of the Sub-Commission by the Iraqi Human Rights Society had been endorsed by the Government of Iraq, which had taken all possible steps to make the visit worth while, he considered the draft decision unnecessary and supported the motion that no decision be taken on it.

6. Mr. ROMARE (Sweden) fully endorsed the views expressed by the representative of the United Kingdom on the Commission's role in relation to the proposed visit to Iraq. He was disturbed by the fact that recourse was again being had to a motion that no decision be taken. That procedure was all too often used to obstruct the Commission's work on human rights and was a major cause of the selectivity it displayed in dealing with so many human rights issues. Those who regretted that selectivity and were concerned about the proper functioning of the Commission should oppose the motion.

7. Ms. PATTERSON (United States of America) said her delegation opposed the motion that no decision be taken on the draft decision. It was particularly inappropriate in the present instance, since the draft decision made no condemnatory statements; it was solely designed to bring to proper fruition the visit of the members of the Sub-Commission to Iraq and to ensure that the visit took place in conditions appropriate to visits by United Nations bodies. Her delegation firmly believed that a visit by independent experts would provide the Iraqi Government with useful insights into its human rights situation, and was unable to understand why the routine handling of the visit via the usual United Nations procedures could not be accepted by that Government.

8. Mr. CHEN Shiqiu (China) said his delegation shared the view that the best way to solve problems was by consensus. The failure to reach consensus in the present instance had been provoked by the wish of certain delegations to impose their own procedure on the conduct of the visit to Iraq, whereas respect for human rights would be better facilitated by efforts to achieve international co-operation. In the absence of consensus, his delegation was unable to accept the text of the draft decision and supported the motion that no decision be taken, a step it considered to be fully in accord with the rules of procedure and the mandate of the Commission.

9. Mr. NOORANI (India) said he regretted that consensus had not been achieved on the wording of the draft decision. In his view, however, the stated willingness of the Iraqi Government to extend all necessary assistance and facilities for the visit to that country by members of the Sub-Commission made that draft decision unnecessary. He therefore supported the motion that no decision be taken on it.

10. At the request of the representative of the Federal Republic of Germany, a vote was taken by roll-call on the motion that no decision be taken on draft decision E/CN.4/1990/L.85/Rev.1.

11. Sao Tome and Principe, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Bangladesh, China, Cuba, Cyprus, Ethiopia, Ghana, India, Iraq, Madagascar, Morocco, Pakistan, Philippines, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Yugoslavia.

Against: Belgium, Bulgaria, Canada, France, Germany, Federal Republic of, Hungary, Italy, Japan, Panama, Portugal, Spain, Sweden, United Kingdom, United States of America.

Abstaining: Botswana, Brazil, Colombia, Gambia, Mexico, Nigeria, Peru, Swaziland, Venezuela.

12. The motion that no decision be taken was adopted by 18 votes to 14, with 9 abstentions.

13. Mr. AL-TIKRITI (Iraq) thanked all representatives who had taken part in the vote and renewed the invitation to the members of the Sub-Commission to visit Iraq.

The public meeting rose at 6.35 p.m.

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COMMISSION ON HUMAN RIGHTS

Forty-sixth session

SUMMARY RECORD OF THE 55th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 9 March 1990, at 10 a.m.

Chairman: Mrs. QUISUMBING (Philippines)

CONTENTS

Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:

(b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by the Commission at its forth-fourth session (continued)

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CONTENTS (continued)

Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms (continued)

The meeting was called to order at 11.30 a.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(b) STUDY OF SITUATIONS WHICH APPEAR TO REVEAL A CONSISTENT PATTERN OF GROSS VIOLATIONS OF HUMAN RIGHTS AS PROVIDED IN COMMISSION RESOLUTION 8 (XXIII) AND ECONOMIC AND SOCIAL COUNCIL RESOLUTIONS 1235 (XLII) AND 1503 (XLVIII): REPORT OF THE WORKING GROUP ON SITUATIONS ESTABLISHED BY THE COMMISSION AT ITS FORTY-FOURTH SESSION (agenda item 12) (continued)

1. The CHAIRMAN said that the human rights situation in Haiti was no longer being considered under the procedure governed by Economic and Social Council resolution 1503 (XLVIII).

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (agenda item 11) (continued)
(E/CN 4/1990/WG.3/WP.2-13)

2. Ms. SINEGIORGIS (Ethiopia), Chairman of the informal open-ended working group, said that, at its forty-sixth session, the Commission had had before it General Assembly resolution 44/167 entitled "Enlargement of the Commission and the further promotion of human rights and fundamental freedoms". In the context of the organization of its work, the Commission had referred the request of the Assembly in operative paragraph 3 of its resolution to an informal open-ended working group.

3. Subsequent to consultations within the Bureau and between the Bureau and the co-ordinators of the various regional groups, it had been agreed that the informal open-ended working group of the Commission would hold a maximum of three meetings to hear views and then convert itself into a drafting group composed of up to five representatives from each regional group.

4. The group, which had held its meetings on 19, 21 and 26 February 1990, had been made up of the following delegations: Algeria, Argentina, Austria, Belgium, Brazil, Bulgaria, Canada, China, Colombia, Cuba, Egypt, Ghana, Hungary, India, Iraq, Ireland, Madagascar, Netherlands, Pakistan, Philippines, Poland, Union of Soviet Socialist Republics, Ukrainian Soviet Socialist Republic and Venezuela.

5. In the course of its deliberations, the drafting group had received a number of views, which had been circulated in the form of working papers and which were contained in documents E/CN.4/1990/WG.3/WP.2, 4, 5, 9 and 11. In addition, draft proposals had been submitted by various participants and were contained in documents E/CN.4/WG.3/WP.3, 6, 7, 8, 10 and 12.

6. Working Paper E/CN.4/1990/WG.3/WP.13 and its annex reflected the stage reached by the drafting group on 8 March 1990. At its last meeting, held on that date, the drafting group had agreed to inform the plenary that it had not yet reached the point of making any recommendations and to transmit its documents to the Commission.

7. The CHAIRMAN invited the Chairman of the African Commission on Human and Peoples' Rights to address the Commission.

8. Mr. UMOZURIKE (Chairman, African Commission on Human and Peoples' Rights) said that the African Charter on Human and Peoples' Rights had entered into force on 21 October 1986, and had currently been ratified or acceded to by 39 African States. The Charter incorporated the usual civil and political rights. Some, such as the rights to human dignity, inviolability of the person, equality before the law and freedom from discrimination and inhuman or degrading treatment, were unqualified. Others, such as the rights to liberty, freedom of conscience, expression, association and assembly, property and participation in government, were subject to the law of the land; unfortunately, there was no requirement that the law must be reasonably justifiable in a democratic society.

9. The Charter also incorporated rights of the type covered by the International Covenant on Economic, Social and Cultural Rights such as the right to work under satisfactory conditions and the right to education, health and medical attention. The African Charter provided for the immediate implementation of such rights, which, while they gave meaning to rights of the first group, required efforts on the part of Governments.

10. The Charter also incorporated a so-called third generation of rights enjoyed by the group as a whole - the rights to self-determination, to national and international peace and security, to a satisfactory environment and to development. A United Nations study considered the last of those rights to be an individual one also. The achievement of such rights required international collaboration.

11. The Charter also spelt out individual duties such as those to the family, society, the State and the international community; in so doing, it combined legal, political and moral duties. Indeed, international morality was essential for a proper conduct of international relations, and the African Charter was unique in stressing that ingredient. In order to satisfy individual rights, moreover, national resources and potential must be put to maximum use.

12. The Charter was to be implemented mainly through the African Commission on Human and Peoples' Rights, which reported to the Assembly of OAU Heads of State and Government. The Commission consisted of 11 members chosen for their integrity and competence. It held two annual meetings, with the possibility of extraordinary sessions, and received communications on breaches by States parties from States members and from other entities or individuals, not necessarily African.

13. The Commission had so far granted observer status to 18 non-governmental organizations. No complaint had been hitherto received from a State member about another member; 90 per cent of communications received had been against non-member States, some of them being non-African States. The Commission studied the situations reported and made recommendations to the parties, seeking traditional methods of settlement rather than the court system; situations which revealed a serious and consistent pattern of human rights denial were drawn to the attention of the OAU Assembly, which might in its

turn call for studies or take other action which, in any case, could not preclude action at the international level. The Commission carried out its protective activities in secrecy until the OAU Assembly authorized publication or its annual report was submitted.

14. The other major Commission activity was promotional, through research, documentation, dissemination of information and the organizing of seminars, symposia and conferences. Such activities covered a very wide field; but protective activity was circumscribed, although greater involvement was possible in the future.

15. What the African Charter had achieved was the clear internationalization, and in some respects the Africanization, of certain rights and duties not set forth in other international instruments or forming part of international customary laws.

16. The Commission, during its two and a half years of existence, had received support from the Centre for Human Rights, the European and American Commissions on Human Rights and elsewhere. It had had some moderate successes: its intervention had been enough to secure the release of certain detained persons, it had established guidelines relating to member States' biennial reports and it had made recommendations about human rights teaching. African States paid for the Commission's operations through their OAU contributions; those which had not yet ratified or acceded to the African Charter had been urged to do so in order to make it truly regional.

17. The Commission had yet to tackle certain issues. The reinforcement procedures were recommendatory and conciliatory; and certain rights, like the right to work, were currently beyond the capacity of African States to implement. Since the African system ruled out the court process, perhaps the incorporation of certain rights in a constitutional framework, fundamental laws and directive principles of State policy would suffice; the Indian and Nigerian Constitutions contained examples of that approach.

18. The Commission, conscious of the high expectations placed in it, appealed for support, and was anxious to contribute to the philosphy and practice of human rights. On the basis of the benefits it had already experienced, a comparable system could be recommended to regions which did not yet have a regional charter.

The meeting rose at 12.05 p.m.

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COMMISSION ON HUMAN RIGHTS

Forty-sixth session

SUMMARY RECORD OF THE 56th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 9 March 1990, at 7 p.m.

Chairman: Mrs. QUISUMBING (Philippines)

CONTENTS

Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms (continued)

Draft provisional agenda for the forty-seventh session of the Commission

Report to the Economic and Social Council on the forty-sixth session of the Commission.

Closure of the session

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GE.90-11920/1761B

The meeting was called to order at 7.15 p.m.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (agenda item 11) (continued) (E/CN.4/1990/91)

1. The CHAIRMAN said that the morning meeting had been suspended to allow time for informal consultations in an effort to find a constructive formula for a follow-up to the report (E/CN.4/1990/91) submitted by the Chairman of the Commission's informal open-ended working group. As a result of those consultations, agreement had been reached on the text of a draft consensus decision. She read out the draft decision in question:

> "The Commission on Human Rights takes note of the report of the working group set up to formulate recommendations pursuant to operative paragraph 3 of General Assembly resolution 44/167, published as document E/CN.4/1990/91. It requests it to continue its work as a sessional working group during the forty-seventh session, with a view to presenting its recommendations to the Commission, and encourages delegations to hold informal consultations among themselves on this matter."

2. The draft decision was adopted by consensus.

3. Mr. KOSIN (Yugoslavia), speaking on behalf of the States members of the non-aligned movement, said that they wished to stress their commitment to a constructive and continuing dialogue on the question of ways and means of making the work of the Commission more effective. The informal working group had made some progress on the question in the course of the current session and the delegations he represented would have been glad if that progress could have been reflected in a consensus resolution.

4. The subject involved many wide-ranging issues, and also had legal and financial implications that called for detailed consideration and analysis and for consultations with national authorities.

5. If the dialogue was to have a successful outcome, it should be carried out by means of a fully transparent and democratic process. Such a process would require the full participation of all the members of the Commission.

6. On that understanding, the States members of the non-aligned movement welcomed the consensus decision that had just been taken.

7. Mr. STANEVSKI (Union of Soviet Socialist Republics) said that, while his delegation would not oppose the consensus reached, it took the view that the question of the relation between the enlargement of the membership of the Commission and the efficiency of its work had not yet been sufficiently considered. He urged that any decision on the question should be deferred until the following year.

8. Mr. ABRAM (United States of America) said his delegation supported the decision that work on enhancement should continue. It was his understanding that, when that work was completed, the Economic and Social Council would be in a position to discharge its mandate under General Assembly resolution 44/167.

9. Mr. STEEL (United Kingdom) endorsed the previous speaker's comments.

10. Mr. MARTIUS (Federal Republic of Germany) said that General Assembly resolution 44/167, to which reference had just been made, combined the concepts of enhancement of the Commission's work and enlargement of its membership as two sides of the same coin. That was a fact that should be taken into consideration in future discussions on the subject.

11. Mr. BOSSUYT (Belgium) said that, although the results of the working group's deliberations had fallen short of expectations, it had nevertheless enabled members better to understand each other's concerns. He therefore welcomed the decision that the group should continue its work at the Commission's next session, and was sure that, in the meantime, informal consultations between delegations would greatly contribute to the eventual success of efforts to find a solution.

12. Ms. ANDREYCHUK (Canada), speaking on behalf of the observers for Australia and New Zealand as well as her own delegation, said that, in their view, the consensus decision just taken fell seriously short of a result in terms of enhancement that would have enabled the Economic and Social Council to discharge the responsibility assigned to it by General Assembly resolution 44/167.

13. However, she hoped that the Council would eventually be in a position to discharge that responsibility, and pledged the full co-operation of the delegations whose spokeswoman she was in all efforts to achieve that end.

DRAFT PROVISIONAL AGENDA FOR THE FORTY-SEVENTH SESSION OF THE COMMISSION (agenda item 26) (E/CN.4/1990/L.1)

14. The CHAIRMAN drew the attention of members of the Commission to the draft provisional agenda for its forty-seventh session (E/CN.4/1990/L.1). The Commission was expected only to take note of the draft agenda proposed, an action which would in no way prejudge the work of its forty-seventh session.

15. Mr. STIGLICH (Peru) said that the topic which appeared as item 9 of the draft provisional agenda ("Problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development;") had been considered at the current session as sub-item (a) of agenda item 7. In the provisional agenda for the following year's session, therefore, it should once again appear as sub-item (a) of item 7, and not as an independent item. "Popular participation in its various forms as an important factor in development and in the full realization of human rights" would then become agenda item 7 (b).

16. Mrs. GONZALEZ MARTINEZ (Mexico) asked if the Secretariat could clarify the comment made under item 3. She would also like to know why paragraph (i) (Report of the Government-elect of Chile) appeared in the documentation list for item 13.

17. Mr. PACE (Secretary of the Commission) said the comment made under item 3 referred to the need for the Commission to decide, at its forty-seventh session, under which item of the agenda it wished to take up the report of the independent expert on the human rights situation in Guatemala, referred to in paragraph 14 of resolution 1990/80.

18. The entry under item 13 (paragraph (i)) had been included in response to paragraph 9 of resolution 1990/78. However, in view of the fact that the text of that resolution left it doubtful whether, in fact, there would be any report by the Government-elect of Chile, it would be quite in order for the Commission to omit any reference to it. The intention of the Secretariat had been simply to provide as complete a list as possible of the documentation the Commission could expect to have before it in 1991.

19. Mrs. GONZALEZ MARTINEZ (Mexico) thanked the Secretary for his explanation. Since it appeared unlikely that the report in question would be available to the Commission, she proposed that paragraph (i) should be deleted.

20. Mr. ZODIATES (Cyprus), referring to item 13 (a) (Question of human rights in Cyprus), asked that the report of the United Nations Secretary-General on Cyprus be included in the documentation list, in accordance with the decision taken by the Commission at the conclusion of the debate on item 12.

21. The CHAIRMAN said that, if she heard no objection, she would assume that the Commission wished to take note of the draft provisional agenda for its forty-seventh session (E/CN.4/1990/L.1), as orally amended.

22. It was so decided.

23. Mr. STEEL (United Kingdom), speaking in his capacity as co-ordinator of the Group of Western European and other countries, read out a draft decision which, he said, was substantially the same as that adopted annually by the Commission over the past 10 years. Although it had not proved necessary to hold the full quota of 30 meetings provided for, he thought it prudent to request cover for them in case of need.

24. It would be noted that the draft decision requested that the costs of the 30 meetings should be met, if possible, within existing financial resources. The decision also requested that the Chairman of next year's session should make every effort to organize the work of the session within the normal alloted time.

25. Mr. NYAMEKYE (Deputy Director, Centre for Human Rights), said it was estimated that the cost of servicing 30 additional meetings would amount to $436,700 for interpretation into six languages, 75 pages of in-session documentation, and summary records for 30 meetings in 3 languages (English, French and Spanish).

26. However, provision had been made in the 1990/1991 programme budget not only for the meetings scheduled at the time of budget preparation, but also

for any meetings that might be authorized subsequently, provided that the number and distribution of meetings in the 1990/1991 biennium was consistent with the pattern of meetings in the previous biennium. On that basis, it was estimated that no additional resources would be required for conference servicing.

27. The draft decision in question was adopted.

REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FORTY-SIXTH SESSION OF THE COMMISSION (agenda item 27) (E/CN.4/1990/L.10 and Add.1-25; E/CN.4/1990/L.11 and Add.1-5)

28. The CHAIRMAN invited the Commission to consider its report to the Economic and Social Council.

29. Mr. HYNES (Canada), Rapporteur, introducing the draft report contained in documents E/CN.4/1990/L.10 and Addenda and E/CN.4/1990/L.11 and Addenda, said that all parts of the report were currently available except those contained in E/CN.4/1990/L.11/Add.5.

30. Following the practice established some years previously, the report provided a purely factual account of the Committee's proceedings. A substantive account of individual statements and exchanges of views would be found in the series of summary records issued by the secretariat. He invited comments on the draft report, adding that any purely editorial corrections could be submitted to the secretariat after the meeting, for incorporation into the final document.

Chapters III, XXI, XXII and XXIII (E/CN.4/1990/L.10 and Add.1-3)

31. Chapters III, XXI, XXII and XXIII were adopted.

Chapter IV (E/CN.4/1990/L.10/Add.4)

32. Mr. HYNES (Canada) Rapporteur, said that, in paragraph 4, the Islamic Republic of Iran should have been included in the list of observers having made statements. In paragraph 15, the Islamic Republic of Iran should also have been included among the sponsors of draft resolution E/CN.4/1990/13.

33. Chapter IV, as orally revised, was adopted.

Chapter V (E/CN.4/1990/L.10/Add.5)

34. Mr. HYNES (Canada) Rapporteur, said that a new paragraph 24 should be added to read: "Draft resolution E/CN.4/1990/L.90, submitted under agenda items 5 and 22, was considered under agenda item 22 (see Chapter XXII)".

35. Chapter V, as orally revised, was adopted.

Chapter VI (E/CN.4/1990/L.10/Add.6)

36. Mr. HYNES (Canada), Rapporteur, said that a new paragraph should be inserted after paragraph 7, reproducing the draft resolution in E/CN.4/1990/L.21.

37. Chapter VI, as orally revised, was adopted.

Chapter VII (E/CN.4/1990/L.10/Add.7)

38. Mr. HYNES (Canada) Rapporteur, said that the reference to Pax Romana in paragraph 7 should be deleted and a new paragraph added to read: "The Commission also heard a joint statement made by Pax Romana on behalf of the following non-governmental organizations: International Federation of Rural Adult Catholic Movements; Pax Christi International; Pax Romana; and the World Union of Catholic Women's Organizations".

39. A paragraph should be inserted after paragraph 16 reproducing the draft resolution in E/CN.4/1990/L.31 and another paragraph should be inserted after paragraph 26, reproducing the draft resolution in E/CN.4/1990/L.28.

40. Chapter VII, as orally revised, was adopted.

Chapter VIII (E/CN.4/1990/L.10/Add.8)

41. Mr. HYNES (Canada), Rapporteur, said that the penultimate document on the list in paragraph 2 should be described as follows: "Written statements submitted by the Fourth World Non-Governmental Organizations Commission, an association of non-governmental organizations in consultative status (categories I and II) and on the Roster (E/CN.4/1990/NGO/59)."

42. Mr. JOHNSON (United States of America) said that paragraph 10 should be amended to read as follows: "A statement announcing non-participation in the adoption of the draft resolution was made before its adoption by the representative of the United States of America."

43. Chapter VIII, as orally revised and amended, was adopted.

Chapter IX (E/CN.4/1990/L.10/Add.9)

44. Mr. HYNES (Canada), Rapporteur, said that a further entry should be added to the list in paragraph 2 to read: "Letter dated 22 January 1990 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva, addressed to the Under-Secretary-General for Human Rights (E/CN.4/1990/63)".

45. A paragraph should be added after paragraph 11 reproducing the draft resolution in E/CN.4/1990/L.9 and, after paragraph 38, a paragraph should be added reproducing the draft resolutions in E/CN.4/1990/L.2 and L.2/Rev.1.

46. In paragraph 43, "Philippines" should be inserted between "Peru" and "Portugal" in the list of countries abstaining. After paragraph 49, a paragraph should be added reproducing the draft resolutions in E/CN.4/1990/L.3 and L.3/Rev.1.

47. Mr. TRAN HOAN, (Observer for Viet Nam) asked that it be made clear that the Note by the secretariat (E/CN.4/1990/64), referred to in paragraph 2, concerned letters sent to the Chairman of the Commission by the head of the Vietnamese delegation.

48. Chapter IX, as orally revised, was adopted.

Chapter X (E/CN.4/1990/L.10/Add.10)

49. Mr. JOHNSON (United States of America) said that paragraph 35 (a) did not make it clear what amendment had been made to the third preambular paragraph of the resolution concerned. Similarly, paragraph 35 (b) did not indicate what new paragraph had been inserted. He assumed that the final report would include those two texts.

50. On that understanding, chapter X was adopted.

Chapter XI (E/CN.4/1990/L.11)

51. Chapter XI was adopted.

Chapter XII (E/CN.4/1990/L.10/Add.12)

52. Mr. ZHANG Yishan (China) said that paragraph 22 stated that the representative of Pakistan had moved that the Commission take no decision on draft resolution E/CN.4/1990/L.47, whereas paragraph 25 read: "For the text of the decision, see chapter II, section B, decision 1990/106". Since, in fact, the Commission had voted in favour of taking no decision on the draft resolution in question, paragraph 25 was superfluous and should be deleted.

53. Chapter XII, as orally amended, was adopted.

Chapter XIII (E/CN.4/1990/L.10/Add.13)

54. Chapter XIII was adopted.

Chapter XIV (E/CN.4/1990/L.10/Add.14)

55. Mr. HYNES (Canada), Rapporteur, said that Sweden should be deleted from the list of sponsors of draft resolution E/CN.4/1990/L.63 in paragraph 19.

56. Mr. WHITAKER SALLES (Brazil) said that, in paragraph 29, the words "the right to live in a sound and healthy environment and consequently the right to health", and the words "and the right to the highest attainable standard of health, including its environmental aspects" should be placed between inverted commas.

57. Chapter XIV, as orally revised and amended, was adopted.

Chapters XV, XVI and XVII (E/CN.4/1990/L.10/Add.15-17)

58. Chapters XV, XVI and XVII were adopted.

Chapter XVIII (E/CN.4/1990/L.10/Add.18)

59. Mr. BARKER (Observer for Australia) pointed out that Australia should be included in the list of observers having made statements on agenda item 18 (para. 4).

60. Chapter XVIII, as orally amended, was adopted.

Chapter XIX (E/CN.4/1990/L.10/Add.19)

61. Mr. ZHANG Yishan (China) pointed out that paragraph 62 stated that the representative of Iraq had moved, in accordance with rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, that the Commission "take no action" on the draft decision. That wording was inconsistent with paragraph 22 of chapter XII of the report, which recorded that the representative of Pakistan had moved, in accordance with the same rule, that the Commission "take no decision" on the matter in question. The two texts should be brought into line.

62. Mr. HYNES (Canada), Rapporteur, said that the correction would be made.

63. Mr. van BANNING (Observer for the Netherlands) said that the sponsors of the revised draft decision E/CN.4/1990/L.85/Rev.1, referred to in paragraph 59, were not precisely the same as the sponsors of the original draft decision E/CN.4/1990/L.85 listed in paragraph 58. The sponsors of the revised draft decision should therefore be mentioned in paragraph 59.

64. Mr. HYNES (Canada), Rapporteur, said that an additional paragraph 66 should be added to read: "For the text as adopted, see chapter II, section B, decision 1990/113".

65. Chapter XIX, as orally revised and amended, was adopted.

Chapter XX (E/CN.4/1990/L.10/Add.20)

66. Mr. JOHNSON (United States of America) requested that a new paragraph 6 be added to read: "The representative of the United States of America made a statement in explanation of vote after the vote". The following paragraphs would then be renumbered accordingly.

67. Chapter XX, as orally amended, was adopted.

Chapters XXIV and XXV (E/CN.4/1990/L.10/Add.24-25)

68. Chapters XXIV and XXV were adopted.

69. There being no comments by members, the Commission took note of documents E/CN.4/1990/L.11 and Add.1-5, containing resolutions and decisions it had already adopted.

70. The draft report to the Economic and Social Council on the forty-sixth session of the Commission on Human Rights, contained in documents E/CN.4/1990/L.10 and Add.1-25 and E/CN.4/1990/L.11 and Add.1-5, as orally revised and amended, was adopted.

71. The CHAIRMAN announced that, in accordance with rule 21 of the rules of procedure and after consultation with the regional groups, the following members of the Commission had been nominated to serve, in their personal capacities, in the Working Group on Situations: Mr. El Ghali Benhima (Morocco), Mr. Zhan Daode (China), Mr. Todor Ditchev (Bulgaria), Mr. Oswaldo de Rivero Barreto (Peru), and Mr. Goetz-Alexander Martius (Federal Republic of Germany).

72. If she heard no objection, she would take it that the Commission wished to approve those nominations.

73. It was so decided.

74. The CHAIRMAN said that the Commission had thus concluded its consideration of all the items on its agenda.

CLOSURE OF THE SESSION

75. The CHAIRMAN said the only yardstick by which the Commission could measure the success of its work was the extent to which it had been successful in helping to prevent further human rights violations. She believed that it could, in fact, take pride in the contribution it had made to recent positive developments in standard-setting in the human rights field.

76. As a result of the work of the Commission, the United Nations General Assembly had, at its last session, adopted the Convention on the Rights of the Child, and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty. In addition, the General Assembly had made progress in the preparation of a convention on the protection of the rights of migrant workers and their families.

77. At the current session, the standard-setting work had continued. It was a source of great satisfaction to her that the Commission's open-ended working group, after 12 years of dedicated work, had completed a first reading of a draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities. She also welcomed the significant progress made by the Commission's working group on the draft body of guidelines, principles and guarantees for the protection of mentally-ill persons, as well as the great strides made by the working group on a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally-recognized human rights and fundamental freedoms.

78. Although those working groups were in theory open to all Member States, she had observed that in practice, very few had participated. Since the work of the groups was currently entering an important phase, she hoped that there would be wider participation, not only by States but also by non-governmental organizations.

79. The Commission had succeeded in adopting substantive decisions on the realization of economic, social and cultural rights and on the right to development, as well as on the effects on the enjoyment of human rights of foreign debt and economic adjustment policies. It had also adopted decisions on new issues, including human rights and the environment, trade-union rights, and the consequences of acts of violence committed by armed groups and drug traffickers on the enjoyment of human rights.

80. Not only the decisions that had been adopted, but also the proposals put forward but not yet acted on, provided an indication of the work that still remained to be done in the field of the promotion and protection of human rights. The Commission's main concern must be that violations of human rights and fundamental freedoms unfortunately continued to occur and the closure of

the current session did not mean that its work was finished. The monitoring mechanisms set up by the Commission played a key role in fulfilling its mandate, and it was for all involved in those mechanisms - the Centre for Human Rights, Governments, and non-governmental organizations - to work together enthusiastically in discharging their responsibilities.

81. It was her own personal concern that there should be a universal culture of human rights and that the same dynamism and conviction in the service of the cause of human rights should be found in all regions of the world. She thought that the Commission should give serious consideration to the possibility of holding some of its sessions in other regions of the world, thus helping to promote recognition of a universal culture of human rights, based on the principles of the United Nations Charter and the International Bill of Human Rights. That was her dream which, she hoped, would one day become a reality.

82. In the course of its current session, the Commission had held 54 meetings and had heard 883 statements. It had adopted 81 resolutions and 13 decisions, most of them without a vote, thanks to the spirit of consensus that had prevailed throughout. The Commission had also had the privilege of being addressed by high-ranking dignitaries from all regions of the world - including, for the first time, a Head of State - a fact which demonstrated the importance Governments had come to attach to its work.

83. She regretted that it had not been possible for her to hold personal talks with all delegations in the course of the session, but hoped that she would have the opportunity of meeting them all during the remainder of her chairmanship.

84. After an exchange of courtesies, the CHAIRMAN declared the session closed.

The meeting rose at 9.20 p.m.